



# ADMINISTRATIVE PROCEDURE

SAN DIEGO UNIFIED SCHOOL DISTRICT

NO: 6436

PAGE: 1 OF 4

CATEGORY: **Students, Employment**

EFFECTIVE: **1-29-62**

SUBJECT: **Work Permits and Entertainment/  
Theatrical Permits**

REVISED: **9-13-99**

## A. PURPOSE AND SCOPE

1. To define administrative procedures governing issuance of work permits and entertainment permits to minors under eighteen years of age.
2. **Related Procedures:**

Release of student information .....	6525
Work experience education .....	4126

## B. LEGAL AND POLICY BASIS

1. **Reference:** Board policy: F-1300, F-2200, H-3000, H-3500, H-8400; Education Code Sections 49100 *et seq.*

## C. GENERAL

1. **Originating Office.** Suggestions or questions concerning this procedure should be directed to the Career Development Services, School-to-Career Department, Instructional Support Services, Institute for Learning.
2. **All permits to employ and work,** except entertainment/theatrical, are issued by the Career Development Services.
3. **Entertainment/Theatrical Permits.** Inquiries regarding entertainment work permits (Form DLSC 277) should be directed to the State Department of Industrial Relations, Division of Labor Standards Enforcement, 8765 Aero Drive, San Diego.
4. **Regulations**
  - a. **High school graduates/minors passing the California High School Proficiency Examination (or equivalent).** Minors who have graduated from high school or have received a California "Certificate of Proficiency" (or equivalent), are exempt from having to obtain work permits. However, the California Division of Labor Standards Enforcement requires that employers have evidence on their premises that a minor has met the above criteria. (**Note:** If an employer has a copy of the minor's high school diploma or California "Certificate of Proficiency" on file, it is acceptable in lieu of a work permit.)

- b. **Pertinent regulations and restrictions** governing employment of minors are found on the reverse side of the “Request for Work Permit and Statement of Intent to Employ Minor” form and the employer’s copy of “Permit to Employ and Work.” Additional information can be obtained from the Career Development Services.

## 5. **Types of Work Permits**

- a. **“Permit to Employ and Work”** is required for employed minors under the age of eighteen. The minor must be enrolled in school in order to obtain a work permit. (See D.4.b. regarding persons who have graduated.) A work permit may *not* be issued for a minor *under fourteen years* of age in any employment subject to Child Labor Provisions of Fair Labor Standards Act. Minors *twelve and thirteen years* of age may be employed on nonschool days only (i.e., Saturdays, Sundays, holidays, and vacation periods). A “Permit to Employ and Work” may *not* be issued for any child *under twelve years* of age. (Education Code Section 49111.)
  - b. **Temporary permit to employ** (pink copy of “Request for Work Permit and Statement of Intent to Employ Minor”) may be issued while a work permit is being processed.
  - c. **“Application for Permission to Work in the Entertainment Industry”** (Form DLSC 277) is available to minors at offices of production companies who will employ the minor and at the California Labor Standards Office. When school is in session, this form requires the signature of the principal or designee verifying the minor’s age and scholastic record. During vacation periods, the Career Development Services work permit technician is responsible for the required signature.
6. **School Responsibilities.** Secondary school principals designate staff member(s) to handle requests. Staff member(s) is/are required to attend a training session on work permits and child labor laws conducted by the Career Development Services.

## D. **IMPLEMENTATION**

### 1. **Secondary School Student**

- a. After securing specific offer of employment, obtains “Request for Work Permit and Statement of Intent to Employ Minor” from principal’s designee or from the Career Development Services *for each new employer*. Completes application form by obtaining:

- (1) “Statement of Employer” with signature; and
    - (2) “Statement of Parent or Guardian” with signature indicating approval.
  - b. Submits application form to principal’s designee, who completes “Statement of School,” including official signature and verification of student’s birth date, grade level, and number of hours of school attendance.
  - c. Students with disabilities may have their work permit application signed by their vocational rehabilitation counselor.
  - d. Students enrolled in work experience education (WEE) must have their work permit application signed by the WEE teacher and principal’s designee.
2. **Principals’ designee** distributes copies of “Request for Work Permit and Statement of Intent to Employ Minor” as follows:
- a. **White copy:** Sends to the Career Development Services.
  - b. **Canary copy:** Retains for school files.
  - c. **Pink copy:** Gives to student as a *temporary* work permit for the employer while work permit is processed. Does *not* give pink copy to student aged 12, 13, 14, or 15 unless job suitability for the age has been established by the Career Development Services.
  - d. **Goldenrod copy:** May give to head counselor so that he/she will know that student is working. Vocational rehabilitation counselor retains for student with disabilities.
3. **Career Development Services**
- a. Checks request for work permit for completeness and for legal conformity to child labor regulations (federal, state, and local) and whether student is enrolled in work experience education.
  - b. Processes “Permit to Employ and Work” issued by the California Department of Education (original copy only).
    - (1) **For a student**, issues permit by mailing directly to employer.
    - (2) **For high school graduates and minors passing the California High School Proficiency Exam or equivalent (C.4.a.)**

- (3) **For married and emancipated minors**, may sign work permit application in lieu of parent or guardian upon proof of legal status.
- (4) **For students not enrolled in school**, refers student to continuation school or ROP Program. Verifies enrollment prior to issuing work permit.
- (5) **During summer and vacation periods**, issues permit directly to minor, who is instructed to give it to his/her employer.

#### **E. FORMS AND AUXILIARY REFERENCES**

1. Request for Work Permit and Statement of Intent to Employ Minor, Form No. 1PE-1, 4 copies including temporary work permit (available from the Career Development Services).
2. Permit to Employ and Work, California Department of Education Form No. B1-4, (available from the Career Development Services).

#### **F. REPORTS AND RECORDS**

1. Monthly tallies and annual report, from the Career Development Services to the County Office of Education for California Department of Education.
2. Records shall be retained until the third school year after the school year in which they originated.

#### **G. APPROVED BY**



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Chief of Staff, Terrance L. Smith  
For the Superintendent of Public Education